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NORTH CAROLINA STATE BAR.

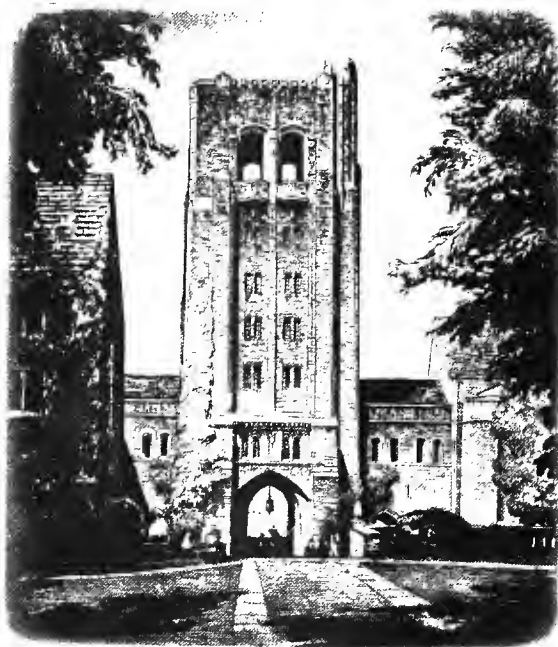
CONSTITUTION AND BY-LAWS OF THE NORTH
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CONSTITUTION

AND

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OF THE

North Carolina Bar Association,

TOGETHER WITH THE

PROCEEDINGS OF A CONVENTION

OF THE

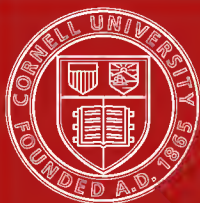
BAR OF THE STATE,

Held in Raleigh, the 28th of January, 1885.



RALEIGH, N. C..

EDWARDS, BROUGHTON & CO., STEAM PRINTERS AND BINDERS.
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FOREWORD

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**CONSTITUTION AND
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1885**

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Buffalo, New York
November 1, 1940

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PROCEEDINGS.

In pursuance of the following call,

To the Bar of the State

The undersigned have been designated a committee by the Bar of the City of Raleigh to communicate with the brethren of the State and to invite their attendance in Convention in the City of Raleigh, on the 28th of January, 1885, at twelve o'clock M.

The resolution of the Bar by which the committee was appointed indicated generally the purpose of the convention, leaving the details to be considered after formal organization.

Of the imperfections of the judicial system of this State, every lawyer is cognizant, and almost every layman, but the particulars wherein the defects consist have not been to a full extent articulated, and hence no rational change of methods has been suggested.

Our purpose in coming together is to make common stock of our information and experience and suggestions of change and to formulate a definite conclusion.

Without some concerted action no effective result can be attained, and without inter-association among ourselves no concerted action can be had.

The details of organization we do not venture to suggest, but simply urge upon our brethren that as many of them attend as can, especially having in view the representation of each judicial district.

It is exceedingly important also that the most experienced of the profession be present, that the State may have the benefit of their prudence and counsel.

Signed in the City of Raleigh January 8th, 1885.

T. M. ARGO,
J. B. BATCHELOR,
D. G. FOWLE,
T. C. FULLER,
R. H. BATTLE,

Committee.

A large number of the members of the legal profession assembled in the court house in the City of Raleigh on the 28th of January, 1885.

Mr. Argo, the chairman of the committee appointed to call the convention, read the call and address, and moved that the Hon. J. J. Davis be made temporary chairman of

the convention, who upon taking the chair made an appropriate and highly instructive address; upon motion, B. F. Long and Capt. S. A. Ashe were appointed secretaries.

It was moved that a call be made of the judicial districts to ascertain who were present. The motion was adopted and upon a call by the secretary the following were found to be present :

First District—W. T. Caho, Frank Vaughan, W. O. Temple, C. W. Grandy, E. F. Lamb.

Second District—W. W. Peebles, R. B. Peebles, W. A. Montgomery, T. W. Hawkins, M. DeW. Stevenson, W. C. Bowen, S. J. Calvert, W. W. Clark, P. Holland, Jr.

Third District—Swift Galloway, B. R. Moore, Marsden Bellamy, A. G. Ricaud, T. W. Strange, F. P. Loftin.

Fourth District—J. A. Lockhart, R. E. Little, S. T. Ashe, C. C. Lyon, Duncan Rose, W. A. Guthrie.

Fifth District—J. A. Long, C. M. Cook, J. J. Davis, W. H. S. Burgwyn, R. W. Winston, W. W. Beasley, R. B. King, J. T. Morehead.

Sixth District—R. P. Waring, E. K. P. Osborne, J. M. Brown, W. J. Montgomery.

Seventh District—John S. Henderson, J. C. Buxton.

Eighth District—J. S. Adams, B. F. Long.

Ninth District—J. G. Martin, W. H. Malone.

The following members of the Raleigh Bar were present :

D. G. Fowle, E. R. Stamps, Armistead Jones, S. F. Mordecai, F. H. Busbee, Oct. Coke, A. M. Lewis, Geo. M. Smedes, John W. Hinsdale, J. B. Batchelor, R. G. Lewis, W. H. Pace, Walter Clark, R. H. Battle, B. B. Lewis, Jr., T. R. Purnell, A. W. Haywood, C. K. Lewis, Ernest Haywood, S. A. Ashe, W. J. Peele, W. H. Bledsoe, T. M. Argo, J. C. L. Harriss, T. P. Devereux, J. N. Holding, Geo. H. Snow, W. N. Jones, Boswell C. Beckwith, Wallon Busbee.

Upon motion, it was decided by the convention that the chair should appoint a committee composed of one member from each district and six from the State at large upon the judicial system of the State, to whom all resolutions and suggestions regarding a change therein should be referred. The following were appointed as the committee :

1st District, C. W. Grandy ; 2nd, R. B. Peebles ; 3rd, A. G. Ricaud ; 4th,

James A. Lockhart ; 5th, C. M. Cook ; 6th, W. J. Montgomery ; 7th, John S. Henderson ; 8th, J. S. Adams ; 9th, W. H. Malone.

At large, Messrs. Argo, Battle, Long, Guthrie, Bellamy, Montgomery.

Mr. Waring, at the request of the Bar of Charlotte, introduced the following resolutions:

At a meeting of the Charlotte Bar, held on Saturday, the 24th day of January, 1885, at the room of the Law Literary Association of Charlotte, N. C., it was

Resolved, 1st, That in the opinion of the bar of the city of Charlotte, the condition of the civil dockets in many counties of this State imperatively demands such a change in our judicial system as will separate the civil and criminal jurisdiction in those counties and establish in them courts possessing solely and exclusively criminal jurisdiction both original and appellate, and that the Superior Courts in those counties may be confined in their jurisdiction to the trial and determination of civil matters and causes, and that for this purpose criminal districts should be established for the benefit of the said counties.

2nd, That in the opinion of the said Bar an increase of Superior Court Judges and districts will not afford the desired relief, and nothing short of a complete divorcement of the two dockets and jurisdiction will do it.

3rd, That Capt. R. P. Waring be requested to present these resolutions to the meeting of the Bar of the State, to be held at Raleigh the 28th day of January, 1885, and that he be further requested to represent the Bar of Charlotte at the said meeting of the Bar of the State.

R. D. JOHNSTON, Pres.

HERBERT CLARKSON, Secretary.

Mr. Malone introduced the following resolution as an expression of the sentiments of the 8th and 9th districts:

That the ends of justice and the remedy for the present grievances demand that the Superior Court be held in each county in the State for at least one term for each four months in the year, and that such counties as need criminal courts be entitled to the same, and further to carry out these ends the districts be increased to a sufficient number to transact all the business of the State.

Capt. Coke, in expressing his views, said that in view of the power of the Legislature to increase the number of judges from time to time, he suggested only such an increase as is now absolutely requisite. He said that it was in the line of reform to regulate the terms of the courts in the several counties so as not to make any surplus days in that county. The present law required at least a term of

one week in each county ; he suggested that this resulted in a waste of time that ought to be saved—these wasted days amount to several weeks when we consider the State at large. He submitted the matter for consideration.

Capt. C. M. Cook introduced the following resolutions :

Resolved, That in the counties requiring four or more terms of the Superior Courts, one half the number of terms shall be for the trial of civil causes and the other half for the trial of criminal causes.

Resolved, That the number of judges of the Superior Court shall be increased to meet the necessity.

Resolved, That there shall be no separation or divorce of the criminal from the civil jurisdiction in the persons of the judges that hold the courts.

Mr. W. W. Peebles offered the following :

Resolved, That the General Assembly be memorialized .

1st, To establish courts of pleas and quarter sessions, as provided for in chapter 31 of the Revised Code of North Carolina, at the times therein mentioned for the holding of the same, except for new counties, and that the time of holding the same in said new counties be fixed by the General Assembly.

2nd, To give to said courts original jurisdiction concurrent with the Superior Courts of all civil and criminal actions and special proceedings where original jurisdiction is not confined by statute to one or more justices out of court, or to the clerk of the Superior Courts, or to the Supreme Court, except crimes punished by death.

3rd, To allow appeals from said courts and trials "*de novo*" on the original papers in the Superior Courts.

4th, To divide the State into twelve judicial districts, and to elect judges and solicitors for new districts till the next general election.

He advocated a return to the old system in very eloquent and forcible remarks. We cannot return to exactly the old system because the constitution confers large jurisdiction upon magistrates and because equity and law are now administered in the same action. He dwelt on the advantages of the old county courts at considerable length and with great force. He urged that the recommendation for the increase in the number of Superior Court judges should be such as would probably meet with favor in the legislature. The magistrates are thought not to be so good as formerly—this was due to the fact that magistrates in the olden

times were educated by the court of pleas and quarter sessions.

Mr. Argo offered the following :

Resolved, That the re-establishment of the courts of pleas and quarter sessions with concurrent jurisdiction with the Superior Courts in civil causes and exclusive original jurisdiction in criminal causes, of which a magistrate has not final jurisdiction, and where the punishment cannot exceed imprisonment for a longer term than ten years in the State's prison, would go further than any other change in the judicial system to remedy existing evils.

Resolved, That the administration of justice by the old courts of pleas and quarter sessions was more expeditious, cheaper and more acceptable to the people than through any other instrumentality that has ever existed in the State.

Mr. Waring spoke of the changes that had taken place among the population and in the character of crimes to be dealt with. He discussed the matter with force and urged that excepting the four capital felonies, the Superior Courts with some changes might, with great benefit, be made to conform more nearly to the old courts of quarter sessions.

Judge Fowle elucidated the difficulties that attended the administration of civil business in Wake county. He suggested to ask the legislature to divide the State into fifteen districts, nine civil and six criminal, each to be exclusive in its jurisdiction.

Capt. Coke offered the following :

1. That the present mode of beginning the term of a court be abolished and the beginning of a court be known by a day of the month.
2. That each county be given so many days as experience teaches the business of that county will demand.
3. That the statute providing rotation of judges be abolished and the judge be confined to the district for which he is elected or appointed.

Mr. Batchelor spoke with unusual eloquence on the subject of the county court system, recalling the great, good and useful men who were in the olden times the justices of these courts, and the benefits that the people derived from attending them.

Mr. Walter A. Montgomery offered the following :

Resolved, That it is the sense of this meeting that courts be established to be held in each county quarterly, with the jurisdiction formerly had and exercised by the former courts of pleas and quarter sessions, except that delegated to the board of county commissioners by the constitution, and that all judicial powers except the probate of deeds be taken from the clerks of the Superior Courts ; provided that clerks of the Superior Courts may be elected or appointed clerks of said courts.

He with great force urged the adoption of the old system, saying that the men of to-day would prove equally as excellent and efficient as those of other days.

Mr. Fab. Busbee feared that it would be impossible to return to the old county court system, because the constitution now apportioned the four great divisions of its jurisdiction to other forums. He urged that there was no necessity for the establishment of a court of exclusive criminal jurisdiction in half the counties of the State. He urged an increase of Superior Court judges and the establishment of a few criminal districts.

Mr. Burgwyn offered the following :

Resolved, That we memorialize the legislature to amend the Code so as to provide that the first Monday in each month be a rule day for the return of process, and that every civil action stand for trial at the term succeeding the last rule day that occurs before the beginning of the term.

Mr. Battle said that he thought the bar could restore itself to its proper position in the confidence of the people by seeking to restore dignity to the judicial system. The people do not care to elect their judges. The scramble for the nomination lowers the judicial station. The selection should be made by those who are qualified to pass upon the qualifications of those who are to fill these positions. He offered :

Resolved, That in the opinion of this meeting the best interests of the State require that the constitution be amended so that the judges shall be appointed by the governor and his council, subject to ratification by the senate.

Mr. Loftin said the practical question was court facilities. He advocated a separation of the criminal from the civil business. He discussed the several questions that had been presented, and insisted that the remedy was to increase the number of judges and then to arrange the measures of relief. We cannot return to the old system. He suggested that there be fifteen judges.

Mr. W. T. Caho offered the following :

Resolved, 1st, That the ends of justice demand an increase of the judicial districts, so that there will not be less than thirteen districts in the State.

Resolved, 2nd, That in those counties in the State where the business of the court occupies more than one week, there shall be held four terms of the Superior Courts.

Resolved, 3rd, That the additional terms of the court thus created shall be devoted entirely to the trial of civil causes in those counties where the ends of justice demand it.

We need more districts—perhaps fifteen ; but he finds on examination that thirteen judges will give thirty-three weeks to each judge, and he thinks that is enough work, for the judges need rest and time to study ; that many large counties need an increase of court facilities, and the effort should be to meet this view.

The various resolutions concerning changes in the judicial system were referred to the committee appointed to consider that subject.

Mr. Purnell offered the following :

Resolved, That a committee of nine be appointed by the chairman to inquire into the propriety of the formation of a bar association of the State, and to present for the consideration of this convention the draft of a constitution and plan of organization.

Mr. Chas. M. Busbee made some very interesting remarks. He called attention to the constitutional provision requiring two terms of a Superior Court to continue one week each to every county. He hoped that the convention would unanimously agree on some recommendation. He proposed to ascertain the probable number of weeks of court

necessary to transact the business throughout the State, and on that to base the increased number of judges.

Mr. Smedes offered the following :

Resolved, That the State be divided into fifteen judicial districts. That in such counties as may so request, the terms of the courts be so arranged that no criminal business shall be transacted at certain specified terms.

The following were appointed the committee on the formation of a State Bar Association :

First district, Frank Vaughn ; second district, Thomas R. Purnell ; third district, Thomas W. Strange ; fourth district, C. C. Lyon ; fifth district, W. H. S. Burgwyn ; sixth district, — — — — ; seventh district, J. S. Henderson ; eighth district, B. F. Long ; ninth district, W. H. Malone.

The Convention adjourned to meet at eight o'clock P. M.

At eight o'clock, the Convention re-assembled and Mr. Argo, of the committee on the judicial system, submitted the following :

The committee on the judicial system of the State, to whom were referred various resolutions relating to that subject, respectfully report that they have considered the whole matter and recommend the adoption of the following resolutions :

1st, That the best interests of the State require an amendment to the constitution providing for the appointment of all judges by the governor and his council with the advice and consent of the senate.

2nd, That an amendment to the constitution, providing for an increase of the number of justices of the Supreme Court to five, should be submitted to the people.

3rd, That we recommend an increase in the number of Superior Courts in such counties as need greater court facilities, with a provision that some of the terms should be for the trial of civil cases only, and in our opinion, to meet this requirement, the number of Superior Court judges should be increased to fifteen.

The resolutions were unanimously adopted.

Mr. T. R. Purnell, of the committee on constitution and by-laws, reported as follows :

CONSTITUTION OF THE NORTH CAROLINA STATE BAR ASSOCIATION.

[Adopted January 28th, 1885, in Convention at Raleigh.]

I.—NAME.—This association shall be called the North Carolina State Bar Association.

II.—OBJECT.—This association is formed to cultivate the science of jurisprudence, to promote reform in the law, to facilitate the administration of justice, to elevate the standard of integrity, honor and courtesy in the legal profession, to encourage a thorough and liberal legal education, and to cherish a spirit of brotherhood among the members thereof.

III.—MEMBERS.—The members of the bar of this State attending this convention this January 28, 1885, are hereby declared to be members of this association, provided they shall, on or before the 1st day of April, 1885, pay the admission fee and subscribe to this constitution, or otherwise, in writing, notify the secretary of their acceptance of membership.

And also all members of the bar of this State shall be admitted to membership who, before that day, shall notify the secretary of their desire to become members and pay the admission fee and receive the favorable report of the committee on admission.

Any member of the legal profession in good standing, residing and practicing in the State of North Carolina, may become a member by vote of the association, or upon nomination, after a favorable report from the committee on admissions; and on subscribing to this constitution (or otherwise in writing notifying the secretary of his acceptance of membership,) and within the period limited by the by-laws, paying the admission fee and annual dues of the current year.

IV.—OFFICERS.—The officers of the association shall be a president, who shall deliver the annual address and be ineligible for the term succeeding his term of service; vice-presidents, one to be chosen from each judicial district; an executive committee; a committee on admissions; a committee on grievances; a committee on law reform; a committee on legal education; a committee on legal biography; a secretary and treasurer; all of whom shall be elected at the annual meeting and hold their offices until the next annual meeting of the association: Provided, any one or more of the above mentioned committees may be filled by appointment by the president, if the association so direct.

V.—PRESIDENT.—The president, or (in his absence) one of the vice-presidents, or (in the absence of all of them) one of the members, shall preside at all meetings of the association.

VI.—EXECUTIVE COMMITTEE.—The executive committee shall consist of five members.

The president and secretary shall be ex officio members of the executive committee.

This committee shall manage the affairs of the association, subject to the provisions of the constitution and by-laws, and shall be vested with the title to all its property, as trustees thereof, until the association shall be incorporated; and the executive committee shall make by-laws for the association, subject to amendment by the association.

VII.—COMMITTEE ON ADMISSIONS.—The committee on admissions shall consist of five members.

The proceedings of this committee shall be deemed confidential and shall be kept secret; except so far as written and printed reports of the same shall be necessarily and officially made to the association.

VIII.—COMMITTEE ON GRIEVANCES.—The committee on grievances shall consist of five members.

It shall be the duty of the committee to receive all complaints which may be made in matters affecting the interests of the legal profession, the practice of the law and the administration of justice, and to report the same to the association, with such recommendations as they deem proper.

The proceedings of this committee shall be deemed confidential, and kept secret, except so far as written or printed reports of the same shall be necessarily and officially made to the association.

IX.—COMMITTEE ON LAW REFORM.—The committee on law reform shall consist of five members.

It shall be the duty of this committee to consider and report to the association such amendments of the law as in its opinion should be adopted; also to scrutinize proposed changes of the law, and, when necessary, report upon the same; also to observe the practical working of the judicial system of the State, and recommend by written or printed report, from time to time, any changes therein which observation or experience may suggest.

X.—COMMITTEE ON LEGAL EDUCATION.—The committee on legal education shall consist of five members, to be appointed by the association from year to year. Its duty shall be to examine and report what changes it is expedient to propose in the system of legal education, and of admission to the practice of the profession in the State of North Carolina.

XI.—COMMITTEE ON LEGAL BIOGRAPHY.—The committee on legal biography shall consist of so many members as the association shall appoint from year to year. It shall be its duty to provide for the preservation, among the archives of the association, of suitable written or printed memorials of the lives and characters of deceased members of the bar of the State, and make report thereof to each annual meeting of the association.

XII.—STANDING COMMITTEES.—Every standing committee shall, at each stated annual meeting, report in writing a summary of its proceedings since its last annual report, (except such matters as the constitution and by-laws require to be secret), together with any suggestions deemed suitable and appertaining to its powers, duties and business.

A general summary of all such annual reports, and of the proceedings of the annual meetings, shall be prepared and printed by and under the direction of the executive committee, together with the constitution, by-laws, (as then existing), names and residences of officers, standing committees, and members of the association, as soon as practicable after each annual meeting.

XIII.—**SECRETARY.**—The secretary shall keep a record of the proceedings and conduct all the necessary correspondence of the association, and discharge such other duties as shall be required of him by the association.

XIV.—**TREASURER.**—The treasurer shall collect and (by order of the executive committee) disburse the moneys of the association, and discharge such other duties as shall be required of him by the association. He shall give security in such sum and in such form, for the safe keeping of, and accounting for moneys of the association coming to his hands, as shall be required by the executive committee.

XV.—**OTHER COMMITTEES.**—The association may provide in its by-laws for other standing committees, and no matter shall be referred to a special committee which is relevant to the function of any standing committee.

XVI.—**MEETINGS.**—There shall be an annual meeting of the association held at the city of Raleigh on the first Wednesday after the second Monday in July, 1885,* and all subsequent annual meetings shall be held at such place and time as the association, by a vote of three-fourths of all present, may determine.

Special meetings may be called at any time by the executive committee. At such special meetings no business shall be transacted except such as shall be specified in the notice thereof. At every meeting of the association the presence of twenty-five members shall be necessary to constitute a quorum.

XVII.—**FEES.**—The admission fee shall, in all cases, be \$1, to be paid as provided by the by-laws.

The annual dues of members shall be \$2, and shall be payable yearly on or before the first day of the annual meeting of the association.

XVIII.—**EXPULSION.**—Any member may be suspended or expelled for misconduct in his relation to the association, or in his profession, after conviction thereof, by such method of procedure as may be prescribed by the by-laws; and all interest in the property of the association of persons ceasing to be members by expulsion, resignation, or otherwise, shall thereupon vest absolutely in the association.

XIX.—**ELECTIONS.**—At the annual meeting in October, 1885, and at each annual meeting thereafter, there shall be elected the officers of the association for the year next ensuing, and they shall hold their offices until the election of their successors.

* This meeting has been postponed to the 14th of October, 1885.

In case of a vacancy in any office, it shall be filled by appointment by the executive committee, which, however, can appoint only a vice-president to the office of president.

XX.—AMENDMENTS.—This constitution shall go into effect immediately. It can be amended only by a two-thirds vote of the members present at an annual meeting of the association.

BY-LAWS.

I.—The association shall convene at the hour of 10 o'clock a. m. of the day of the annual meeting.

II.—ORDER OF BUSINESS.—I. Reading of minutes of preceding meeting.

2. Report of committee on admission.

3. Election of officers.

4. The annual address by the retiring president.

5. Reports of standing committees, in the order named.

Executive committee; legal education; law reform; grievances; legal biography.

6. Reports of special committees.

7. Special addresses.

8. Miscellaneous business.

III.—STANDING COMMITTEES.—The standing committees shall meet and organize by selecting one of their number chairman and another secretary, immediately upon their appointment and during the annual meeting. At regular meetings and after notice of special meetings, the members present shall constitute a quorum. Standing committees shall perform their respective duties so far as practicable during the annual meeting, and report to such meeting.

IV.—ADMISSIONS.—Applications for admission may be made in writing to the secretary, accompanied with the admission fee and the recommendation of a member of the association. The secretary shall lay such applications as are received by him before the committee on admissions, for its consideration and report, and their report, if favorable, shall be final; if not, any one rejected may appeal to the association at its next meeting.

V.—PROCEEDINGS.—The public deliberations of the association shall be governed by the usual parliamentary rules.

The proceedings, at the meetings of the association, shall be published and distributed by the Secretary.

NON-PAYMENT OF DUES.—Members in arrears for annual dues, after notice and demand for thirty days in writing by the secretary, shall be reported to the association by the secretary as suspended.

VII.—Charges of misconduct on the part of any member of the association shall be preferred in writing to the chairman of the committee on grievances ; and said committee, after due notice, shall proceed to investigate such charges, and make report thereof to the association. The association shall thereupon, after notice to the member under charges, take such action upon the report and charges as may be determined, and either exonerate, suspend or expel said member.

On motion of Mr. W. J. Peele, the constitution and by-laws were unanimously adopted.

After discussion, the time for holding the next meeting of the Bar Association of the State was fixed for the Wednesday after the second Monday in July next at Raleigh.*

Upon motion, the Hon. J. J. Davis was requested to deliver the address at that time upon such topic as he might choose.

Mr. Guthrie made a motion, which was adopted, that a committee be appointed to memorialize the legislature, embodying the resolutions adopted, and asking them to enact a law granting the relief prayed for by the committee aforesaid.

On motion of Mr. Geo. H. Snow, the Hon. Joseph J. Davis was chosen president of the Bar Association for the present year.

Mr. Davis assumed the chair and delivered a short but encouraging and instructive address, assuring the members that he would cheerfully undertake any duty that the Bar might desire to impose upon him. He only wished that his capacity and experience were such as would enable him the better to serve the cause which the Association had at heart.

Thereupon, on motion of Mr. W. H. Malone, the Convention formally resolved itself into the North Carolina State Bar Association.

Thereupon, the members of said Association signed the constitution and by-laws thereof in manner and form following :

*The meeting has been postponed to October 14th, 1885.

We, the undersigned, subscribe to the constitution and by-laws this day adopted by the Bar Association of North Carolina at a meeting held January 28th, 1885, in the city of Raleigh, North Carolina :

E. K. P. OSBORNE,
W. N. JONES,
WALTON BUSBEE,
LON. W. HAWKINS,
W. F. BEASLY,
E. J. HILL,
J. G. MARTIN,
N. O. TEMPLE,
JOHN S. HENDERSON,
ERNEST HAYWOOD,
F. M. PERSALL,
D. ROSE,
THOMAS W. STRANGE,
E. R. STAMPS,
S. H. WEBB,
J. A. LONG,
T. R. PURNELL,
W. H. S. BURGWIN,
E. T. BOYKIN,
R. H. BATTLE,
T. B. WOMACK,
A. G. RICAUD,
GEO. H. SNOW,
MARSDEN BELLAMY,
B. B. LEWIS, JR.,
K. B. PEEBLES,
JOHN W. HOLDING,
A. W. GRAHAM,

J. J. DAVIS,
T. M. ARGO,
WALTER CLARK,
C. W. GRANDY,
W. A. GUTHRIE,
FRANK VAUGHN,
W. W. PEEBLES,
B. R. MOORE,
SWIFT GALLOWAY,
J. S. ADAMS,
W. H. MALONE,
OCT. COKE,
W. J. MONTGOMERY,
ARMSTEAD JONES,
H. G. CONNOR,
C. M. COOKE,
J. M. BROWN,
PHILEMON HOLLAND, JR.,
WILLIAM W. CLARK,
J. R. UZZELL,
W. J. PEELE,
W. T. CAHO,
WALTER A. MONTGOMERY,
S. A. ASHE,
G. F. BASON,
W. C. BOWEN,
F. H. BUSBEE,
W. W. PEEBLES.

The following officers were chosen for the following year: President, J. J. Davis; Vice-presidents—1st district, C. W. Grandy; 2nd district, Thomas R. Purnell; 3rd district, E. T. Boykin; 4th district, W. A. Guthrie; 5th district, Samuel H. Webb; 6th district, W. J. Montgomery; 7th district, John S. Henderson; 8th district, J. S. Adams; 9th district, W. H. Malone; Secretary, T. M. Argo; Treasurer, Walter Clark.

In pursuance of the provisions of the constitution and

by-laws heretofore adopted, the following committees were appointed :

Executive Committée : J. J. Davis, T. M. Argo, D. G. Fowle, R. W. Winston, J. C. Buxton, H. G. Connor, John W. Graham.

Admission of members: Geo. H. Snow, W. H. S. Burgwyn, W. W. Fuller, C. B. Aycock, T. W. Strange.

Grievances : B. F. Long, J. G. Martin, W. O. Temple, W. W. Clark, W. H. Day.

Law Reform : R. P. Dick, Thomas Ruffin, T. C. Fuller, W. D. Pruden, Marsden Bellamy.

Legal Education : John Manning, H. C. Jones, J. M. Mullen, Geo. M. Rose, J. A. Lockhart.

Legal Biography : R. H. Battle, W. A. Montgomery, B. R. Moore, J. A. Long.

It was resolved, on motion of W. A. Guthrie, that it is the sense of the Bar Association that the solicitors should be appointed by the Governor, with the consent of the senate.

The Association then adjourned to meet in Raleigh the first Wednesday after the second Monday in July, 1885.*

THOMAS M. ARGO,

Secretary.

January 28th, 1885.

*The next meeting has been appointed for October 14th, 1885.

T. M. ARGO, Secretary.

LIST OF MEMBERS, APRIL 1, 1885.

ADAMS, J. S.	GRAHAM, A. W.
ADAMS, W. J.	GRANDY, C. W.
ARGO, T. M.	GRAY, ROBERT T.
ARRINGTON, T. M.	GUTHRIE, W. A.
ASHE, S. A.	HAWKINS, THOS. W.
AVERY, A. C.	HAYWOOD, A. W.
AYCOCK, C. B.	HAYWOOD, ERNEST
BASON, GEO. F.	HAYWOOD, SHERWOOD
BATTLE, R. H.	HENDERSON, JNO. S.
BATTLE, T. H.	HENRY, WALTER A.
BEASLEY, W. F.	HILL, E. J.
BELL, DAVID	HOLDING, J. N.
BELLAMY, MARSDEN	HOLLAND, PHIL., JR.
BLOUNT, GEO. W.	JAMES, F. G.
BLOW, A. L.	JONES, ARMSTEAD
BOWEN, W. C.	JONES, W. N.
BOYKIN, E. T.	KENAN, THOS. S.
BROWN, J. M.	LAMB, E. F.
BRYAN, J. W.	LATHAM, LOUIS C.
BURGWYN, W. H. S.	LEWIS, JOHN B.
BURKHEAD, W. G.	LEWIS, B. B., JR.,
BUSBEE, C. M.	LEWIS, ROBERT G.
BUSBEE, F. H.	LOCKHART, JAS. A.
BUSBEE, W. M.	LONG, J. A.
CAHO, W. T.	MARTIN, JAMES B.
CLARK, EDWARD T.	MARTIN, JAMES G.
CLARK, WALTER	MALONE, W. H.
CLARK, WILLIAM W.	McLEAN, DAN'L H.
COKE, OCTAVIUS	McNEILL, C. A.
CONNOR, HENRY G.	McRAE, D. K.
COOKE, CHAS. M.	MONTGOMERY, W. A.
CREECH, J. A.	MONTGOMERY, W. J.
DANIELS, F. A.	MOORE, B. R.
DAVIS, J. J.	MORDECAI, S. F.
DEVEREUX, JOHN	MULLEN, JAS. M.
DEVEREUX, THOS. P.	MUNROE, W. C.
FULLER, THOS. C.	MURRAY, H. F.
GALLOWAY, SWIFT	NIXON, RICHARD W.

OSBORNE, E. K. P.
PACE, W. H.
PEARSALL, R. M.
PEEBLES, W. W.
PEEBLES, ROBERT B.
PEELE, W. J.
PRUDEN, W. D.
PURNELL, T. R.
RICAUD, A. G.
RODMAN, W. B., JR.,
ROSE, D.
SCHENCK, DAVID
SHAW, W. B.
SHAW, J. D.
SHAW, J. D., JR.,
SHEPHERD, JAS. E.
SHIPP, W. M.
SINCLAIR, P. J.
SKINNER, HARRY
SMITH, E. C.
SMITH, L. L.

SNOW, GEO. H.
STAMPS, E. R.
STEWART, DUGALD
STRANGE, T. W.
SUGG, ISAAC A.
SUTTON, THOS. H.
TEMPLE, W. O.
UZZELL, J. R.
VAUGHN, E. L.
VAUGHN, FRANK
WEBB, S. H.
WILDER, S.
WILLIAMSON, W. P.
WILLSON, W. W.
WINBORNE, B. B.
WINBORNE, R. W.
WINSTON, F. D.
WINSTON, R. W.
WOMACK, T. B.
ZOLLIFFER, A. L.

ADDRESS OF THE PRESIDENT.

To the Members of the Bar of North Carolina.

BRETHREN :—At the call of a number of gentlemen, actuated by a desire to promote the interest of the legal profession, and to increase its usefulness to the State, a Convention of the members of the Bar was held in the City of Raleigh in January last for the purpose of consultation with a view to such organization and concert of action as will unite more closely the brotherhood of the profession, promote the fraternal and kindly relations of its members and guard and protect the high character which has been, and, we trust, will ever be, the proud and just boast of the Bar of this State.

The result of the deliberations of that Convention was the formation of the "North Carolina Bar Association" and the adoption of a Constitution, which is herewith submitted. The object of the Association, as set forth in the second Article of the Constitution, will, we hope, meet the hearty approval of every member of the profession in the State.

Upon the organization of the Association, my brethren did me the honor to confer upon me its presidency, and I shall be happy indeed if I shall be able to advance, in any degree, the interest and welfare of that profession which, in England and in this country, has been foremost among the defenders of civil liberty and the rights of man. Where civil liberty has been most revered, the legal profession has been most respected, and the supremacy of law and order is the highest tribute to its merit—for when this supremacy prevails, its influence is greatest.

The history and traditions of the profession in North Carolina are rich heritages, and if we would prove ourselves worthy successors of those who have gone before us, we must not be laggards. As population and wealth increase, responsibilities and duties increase, and may I not appeal to the brethren of the State and ask them to read carefully the Constitution of the Association, consider well its purposes and unite with us in prompting its high aims?

The maxim, "In union is strength," is being more and more recognized by the various callings and professions of this country, and the healthful influence of union and concert on the part of the lawyers of the State cannot fail to be felt in the enactment and maintenance of just laws, the promotion of virtue and the suppression of crime.

It is the duty of any *one* member of the profession to guard its honor and character and promote its usefulness and influence; it is the duty of *all*, for if *one* may rightfully neglect this duty, then *all* may, and we earnestly ask our brethren of the State to join us in this Association and unite with us in furthering its objects.

Trusting that this appeal will meet a favorable response, and that our Association will be a source of pleasure to us, and of usefulness to the State,

I am, respectfully,

JOS. J. DAVIS,
Pres. of the N. C. Bar Association.

KF 332 N87 1885

Author

North Carolina state bar

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Constitution and by-laws

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